

REMARKS

The present invention relates to a three-dimensional woven fabric comprising a surface layer having a woven structure, a back layer have a woven structure, and a bonding layer having a woven structure and corrugated in a wave-like shape in the warp direction.

In the Office Action dated March 14, 2008, it is first of all appreciated that the Examiner indicated that the subject matter of claims 2 - 4, 8, and 11 - 13 constitute allowable subject matter, and that furthermore the Examiner appreciated the failure of the prior art to teach adding the claimed additional yarn constituents as set forth in claims 2 - 4.

However, in the Office Action, there remained rejections of claims 1, 7, and 14 under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) based on Takenaka et al (U.S. Patent 5,021,283), and a rejection of claims 6 and 15 under 35 U.S.C. § 103(a) based on Takanaka et al.

In the present Amendment, claims 2 and 3 have been incorporated into claim 1. That is, wherein the process yarn is composed of another constituent (in addition to the “one” already defined), which is a copolymer polyester multifilament yarn or is an elastic yarn with a breaking elongation of 70 - 1,000%. It is noted that dependent claim 4 describes a preferred embodiment of the elastic yarn that was recited in claim 3, which is now recited in claim 1; accordingly, claim 4 has been amended to depend on claim 1. Similarly, the dependency of claims 8, 11, and 12 have been amended to depend on claim 1.

In view of the amendments to independent claim 1 and dependent claims 4, 8, 11, 12, and 14, Applicant respectfully submits that all remaining examined claims are now in condition for allowance.

Applicant also respectfully requests the rejoinder of withdrawn process claims 9 and 10. These process claims each depend on claim 1, and hence are respectfully submitted to be appropriately co-extensive with the search with respect to independent article claim 1. It is understood that the Examiner would intend to rejoin these claims in view of the Examiner's comments at page 2 of the Office Action of September 18, 2007.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

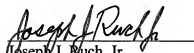
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Joseph J. Ruch, Jr.
Registration No. 26,577

Date: June 16, 2008